

contamination that would have taken place during the normal course of operation of a railroad over the premises, and I thought we needed to be protected against that liability. There is a provision that allows the commission to use funds either acquired by gift or by appropriation from the Trail Development Assistance Fund for purposes of supporting the trail. It also gives the commission the authority to lease and grant easements along the right-of-way that's required for trail purposes. That's also on page 21 and provides for the remission of those monies collected. The next provisions in the bill would have dealt with existing easements and it would also have dealt, as I noted earlier, with the provisions for treatment of the adjoining landowners particularly with regard to fences. But as I've also indicated, there would be an amendment to those sections so I think I will conclude my remarks. If you have any questions about the first provision, that is the permissive acquisition of rights-of-way with the consent of the Governor, the standards that are to be met if we were to acquire these, the protections to be extended to the state of Nebraska against environmental clean-up issues, the use of funds for the support of a trail, and the authority to utilize the trail rights-of-way for other purposes than exclusively a recreational trail, I'll be happy to discuss those. I'm assuming we'll discuss the other elements in connection with the subsequent amendment.

PRESIDENT ROBAK: Thank you, Senator Wickersham. Is there any discussion of the Wickersham...excuse me, Mr. Clerk.

CLERK: Madam President, Senator Wickersham would move to amend the amendment. Senator, I have...well, item 2 of the amendment that you had printed in the Journal. (FA388 found on page 319 of the Legislative Journal.)

SENATOR WICKERSHAM: Yes.

PRESIDENT ROBAK: The Chair recognizes Senator Wickersham to open on his amendment.

SENATOR WICKERSHAM: Thank you, Madam President. This amendment deals with provisions on page 22. If you look on page 22 of the committee amendment, you'll see it deals with what is Section 5 and it has to do with existing rights-of-way across a railroad track. And as the language came out of the committee, I frankly did not think it worked on a technical basis because I don't